

### **REMARKS**

The Applicants would like to thank Examiner Ahluwalia for the courtesies extended during the telephone interview on July 13, 2007.

The Non-final Office Action, mailed May 18, 2007, considered claims 1–22. Claims 1–22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parthesarathy et al., U.S. Patent No. 6,353,926 (filed Jul. 15, 1998) (hereinafter Parthesarathy), in view of Eric Ustaris, U.S. Patent Pub. No. 2004/0060035 (filed Sep. 24, 2002) (hereinafter Ustaris).<sup>1</sup>

By this response, claims 1, 7–8, and 10–11 are amended such that claims 1–22 remain pending. Claims 1, 10, and 11 are independent claims which remain at issue. Support for the amendments may be found within Specification pp. 17–23.<sup>2</sup>

As reflected in the claims, the present invention is directed generally toward systems, methods, and computer program products for providing computer support tools. Claim 1 recites, for instance, in combination with all the elements of the claim, a method which includes detecting a type of computer-related problem on a user machine. Based on the type of problem, a manifest is selected from a number of manifests. The selected manifest identifies a set of one or more tools which when executed collects data for analysis with respect to diagnosing the problem. The manifest also provides information for running the set of tools with an appropriate configuration and describes what output should be collected. The method provides a control mechanism to interpret the selected manifest and provides the manifest to the control mechanism. The control mechanism executes each tool identified in the manifest. Each tool, when executed, collects data from the user machine and a reporting program collects and packages the data collected by the tools. Finally, the collected data is received from the machine.

Claim 10 recites a computer program product embodiment of the method of claim 1. Claim 11 recites a system embodiment of the method of claim 1.

Independent claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Parthesarathy and Ustaris. The Applicants have now amended claim 1 in order to more

---

<sup>1</sup> Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

<sup>2</sup> However, it should be noted that the present invention and claims as recited take support from the entire Specification. As such, no particular part of the Specification should be considered separately from the entirety of the Specification.

particularly point out the present invention.<sup>3</sup> The claims have been amended substantially as discussed during the July 13th interview and the Applicants now submit that Parthesarathy and Ustaris, both separately and in combination, fail to teach or suggest each and every element as now recited in the claim.

In particular, Parthesarathy and Ustaris fail to teach or suggest selecting a manifest from a plurality of manifests based upon the detected type of computer-related problem, the selected manifest identifying a set of one or more tools that when executed collects data for analysis with respect to diagnosing the computer-related problem, the selected manifest providing information for running the set of tools with an appropriate configuration, and the selected manifest describing what output should be collected. Parthesarathy and Ustaris fail to teach or suggest providing a control mechanism to interpret the selected manifest. Parthesarathy and Ustaris fail to teach or suggest providing the selected manifest to the control mechanism. Parthesarathy and Ustaris fail to teach or suggest the control mechanism executing each tool identified in the manifest. Parthesarathy and Ustaris fail to teach or suggest when executed by the control mechanism, each tool collecting data from the user machine. Parthesarathy and Ustaris also fail to teach or suggest a reporting program collecting and packaging the data collected by the tools.

As Parthesarathy and Ustaris fail to teach or suggest each and every element as recited in the claim, a rejection under 35 U.S.C. § 103(a) would be improper and should be withdrawn. Accordingly, the Applicants respectfully request the rejection be withdrawn and further respectfully request favorable reconsideration of independent claim 1.

Independent claims 10 and 11 are computer program product and system embodiments of the method of claim 1. Correspondingly, the preceding discussion applied equally, Parthesarathy and Ustaris fail to teach or suggest each and every element of claims 10 and 11, and therefore a rejection under 35 U.S.C. § 103(a) would be improper and should be withdrawn. Accordingly, the Applicants respectfully request the rejections of claims 10 and 11 be withdrawn and further respectfully request favorable reconsideration.

In view of the foregoing, Applicants respectfully submit that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will

---

<sup>3</sup> It should be noted that the present amendments have been made for purposes of clarity but do not evince any intention to abandon the claim as previously recited. The Applicants reserve the right to pursue the material as previously claimed as desired at some future point. The Applicants submit that while pursuing.

be appreciated, however, that this should not be construed as Applicants acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicants reserve the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicants specifically request that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 17<sup>th</sup> day of August, 2007.

Respectfully submitted,



RICK D. NYDEGGER  
Registration No. 28,651  
JENS C. JENKINS  
Registration No. 44,803  
Attorneys for Applicant  
Customer No. 47973